IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 1135 OF 2006

The State of Maharashtra ...Applicant
V/s.
Sunil Eknath Katkar & Ors. ...Respondents

Mr.Y.S. Shinde, APP for the State.
Mr.P.D. Pise for the Respondents.

CORAM : V.M. KANADE, J.

DATED : SEPTEMBER 27, 2007

P.C. :-

. Heard the learned APP for the State.

2. Perused the impugned order, the record and proceedings and the evidence adduced by the witnesses on behalf of the prosecution.

3. The respondents-accused were charged for having committed an offence punishable under Sections 143, 323, 427, 506 IPC. Prosecution case is that complainant was assaulted by the villagers when he was taking photographs of the villagers after their houses were demolished by the Gram Panchayat. The trial Court has observed that there were material contradictions in the

evidence of the complainant and other witnesses. Further, there is a delay in filing the complaint. It is brought on record that there was a mob of 100 to 500 people in the said offence and the witnesses are not in a position to identify the accused.

4. In my view, there is no infirmity in the order passed by the trial Court. No reason to interfere with the impugned judgment and order.

5. Leave, therefore, is refused.

(V.M. KANADE, J.)